

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

DANIEL W. JAMISON,

Plaintiff,
v.
Civil Action No. 3:19CV19

STACEY A. KINCAID, *et al.*,

Defendants.

MEMORANDUM OPINION

Daniel W. Jamison, a Virginia inmate proceeding *pro se* and *in forma pauperis*, filed this action. Pursuant to Federal Rule of Civil Procedure 4(m), Jamison had ninety (90) days from the filing of the complaint to serve the defendants.¹ Here, that period commenced on October 25, 2019. By Order entered on September 9, 2020, the Court directed Jamison, within eleven (11) days from the date of entry thereof to show good cause for his failure to serve Defendant Ray within the time required by Rule 4(m). More than eleven (11) days have elapsed since the entry of the September 9, 2020 Order and Jamison has not responded to that Order. Accordingly, all claims against Defendant Ray will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order will accompany this Memorandum Opinion.



M. Hannah Lanck
United States District Judge

Date: 2-11-21
Richmond, Virginia

¹ Rule 4(m) provides, in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).